G. R. S. IX-5]

Previous references.

Police 2-1888

1892
~~191~~.
(Police)

File No. 4

Serial Nos. 1—7

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for December 1893.

SUBJECT.

Arrest of Railway Subordinates

Con terminated
WCS

W D 88—GPB—50,000—24-7-16

Indexed
Sublow

(General Serial No. 30.)

4785 11 92 G 2168

1892.

From The 1st Asst to the Resident in Mysore

To Section Police
No
Serial No

Dated 7 Nov 92

Despatched

Received 7/11/92 50m

Enclosures No. 1

General No. 3602
No. 405-80

Forwarding for information copy of letter from the Agent & Manager S. M. Ry to bringing to notice the arrest of a peon by the Bailiff of the Munsiff's Court at Seringapatam and the instructions being given to the ministerial superior of the peon and inviting attention to the resolutions of the Bombay Govt

Urgent Forwarded

Mr Bride.

Put up the orders of 1888 quoted within

7/11/92

Orders of 88 with papers put up.

8/11/92

Submitted with the references quoted.

The Resolution of the Bombay Govt dt 27th June 88 was sent by the Chf Court to all the Courts in the Province with their Circular letter No 90 dt 12th Nov 1888.

Copy of the Asst Rests letter under reply & its enclos. may be forwarded the Chf Court for such notice the irregularity complained of as may be deemed fit & within what the result of the Govt resolution and for issue of strict instructions to the Subordinate Courts on the subject.

The Resr may be informed of what has been done.

Mr 8/11/92

Yes -
V.N. Draft accordingly
dts
25/11

Two drafts submitted for appl
dts
25/11/92

Wrpt.

No. 3602 / 405-88 Esp (5)

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 7th November 189 2.

SIR,

I am directed to forward, for the information of the Durbar, a copy of a letter* from the Agent and Manager, Southern Mahratta Railway Company, to the address of the Consulting Engineer for Railways at Bombay, bringing to notice the arrest of a gateman by the bailiff of the Munsiff's Court at Seringapatam without previous intimation being given to the immediate superior of the gateman.

Sr. No. 14356/8. Rec 22 Oct. 92.

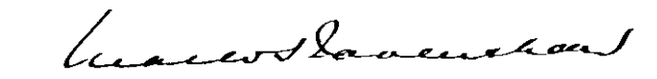
2. I am to invite attention to the resolutions of the Bombay Government copies of which were furnished with this office letter No. 3655-405S of the 8th October 1888, and to suggest that general instructions may be issued for adopting in future the procedure therein indicated.

3. The Resident does not think it necessary to emphasize the great danger that may result if railway subordinates can be arrested and removed without previous intimation to their official superiors.

I have the honor to be,

Sir,

Your most obedient servant,



First Assistant to the Resident.

Copy of a letter No.14356 dated the 22nd October 1898, from the Agent, Southern Mahratta Railway Company, to the Consulting Engineer for Railways, Bombay.

With reference to Bombay Government Resolution No.1474 of 11t July 1888 on the subject of the arrest of Railway servants in the execution of Civil Court's decrees, I have the honor to bring to yo notice a case in which the gateman at mile 289 Mysore State Railwa was arrested in August last by the Bailiff of the Munsiff's Court Seringapatam without previous notification being given to the immedi superior of the gateman or any other responsible officers of the R way. This state of things, if suffered to continue, will not only be source of serious inconvenience to the Company, but will also endan the safety of the public, as the absence of gatemen from their post is likely to lead to serious accidents. In the case above referred the Gateman was taken to Maddva, but the Bailiff was prevented by t Permanent Way Inspector from taking him to the Court until arrange ments were made to relieve him, and although this may not be strict ly legal the Inspector had no alternative but to adopt this course in the interests of safe running of trains, as the man was attached to an important gate at the crossing of the Mysore main road. I the fore request that you will be good enough to address the Mysore Government with a view to secure the issue of orders on the subjec similar to those in force in British territory, as the danger to li and property by the forcible removal of a railway servant without proper arrangements being made to relieve him, is very great.

(Copy)

Registrar.

7334.

GOVERNMENT OF MYSORE dt. 26/11/92.

J. 383-92

To,

The Registrar of the
Chief Court of Mysor

Police
1 — 592
2

Sir,

I am directed to forward herewith, Copy of letter No. 3602/405-88 dated 4th instant, together with its enclosure from the 1st Asst to the Resident, bringing to notice the arrest of a Railway Gate-Keeper by the Bailiff of the Seringapatam Munsiffs Court, without previous intimation being given to the immediate Superior of the Gate-Keeper, and to request that the Chief Court may take such notice, of ~~the irregularity Com-~~ plained of, as may be

2 It is observed that the Resolution of the Bombay Govt dt 27 June 88 was sent to the Accountant & all the Courts in the country with Cir. No. 90 dt 12 Nov 1888. & that therefore there was the less occasion for the negligency now complained of. Notice as such I am

seemed fit, and intimation
of the result furnished for inform
ation of Government.
It appears that fresh
~~sued for issue of~~ strict
instructions to the sub-
ordinate Courts on
the subject would be useful -

I have &c

Chief Secy

25/11/92.

7

7335
J. 384-92 dt. 26/11/92

To.

The 1st Asst. to the Resdt
in Mysore,

Police
Section
File 4 ee 92
Serial No 3

Sir,

I have the honor, by direction of the Dewan, to acknowledge receipt of your letter No 3602/405-88 dated 4th instant, forwarding copy of a letter from the Agent and Manager, S. M. Rail Company, bringing to notice the arrest of a Gateman by the Bailiff of the Munsiff's Court at Seringapatam without previous intimation being given to the immediate superior of the Gate-man.

2. In reply, I am to submit for the information of the Resident, copy of a Communicate

Note that a communication on the subject has been addressed to the Chief Court with a view to preventing such irregularities in the future - Mysore 26/11

8.

addressed to the Registrar of the Chief Court on the subject.

Thanc yn

Cliff Secy.

25/11/92.

Draft

(General Serial No. 29.)

OFFICE OF
1893 10803
1998

From The Registrar of the Chief Court, Mysore

To The Secretary to the Dewan of Mysore.

Police
4-1892
4

Dated 23rd March/93

Despatched 23rd

Received

Enclosures No nil

General No. 1340 } 188 —8 .
No. 37

Reports for the information of Government the result of the enquiry made in regard to the illegal arrest of a Salesman of the Mysore State Railway by a Bailiff of the Kellingapattam Munsiff's Court

L. Rice
23/3/93

Write to Woodcock
11.4.93

N: 1360/37 In: 6

Bangalore 23rd March 1893

From

The Registrar of the
Chief Court of Mysore

To

The Chief Secretary to the
Dewan of Mysore.

Sir,

Adverting to your No. 7334 dated 9/383-92
26th November 1892, I am directed to report, for the information of Government the result of the enquiry made in regard to the alleged arrest of a gatsman at Mile 269, Mysore State Railway, near Mandya Station, by a Bailiff of the Seringapatam Munsiffs' Court in July last.

2. The facts are these:— The warrant for the arrest of the gatsman was taken by the Process Peon or Bailiff named Ramannah to the Mandya Station on 27th July 1892 and shown to the Station Master, who told him that he might act as he liked. If there was objection to the arrest of the gatsman forthwith, as if the arrest had to be deferred for some time, the Station Master might have informed the Peon accordingly and instructed him

him not to execute the warrant. From the
reply of the Station Master, the peon
naturally thought that there was no
objection on the part of the Station Master
to the warrant being executed. The peon
then took the warrant and showed it to
the gatesman, who was at a distance of
about a mile from the Station, and the gate-
man, after placing a substitute to do
the work for him, followed the Bailiff
to the Station and purchased a ticket to go
to Seringapatam by the next train that
was expected. When the train arrived,
the Permanent Way Inspector, who came
in it, finding the gatesman was under
arrest, took objection to the same. There-
upon, the Bailiff left the gatesman and
made a report of the circumstances to
the Munsiff.

3. A second warrant was issued
for the arrest of the same gatesman which
was taken and shown on 15th August 1892
to the Mandya Station Master, who, instead
of making arrangements to relieve the
gatesman and to hand him over to the Court-
Bailiff, returned the warrant with the follow-
ing endorsement:—

"This should be referred to the

Permanent

Permanent Way Inspector, State Railway Mysore"

4 - As the Inspector was then at Mysore and out of the Seringapatam Munsiff's jurisdiction, the Bailiff returned the warrant unexecuted.

5. It will thus be seen that, on the first occasion, the gatamani was arrested after previous intimation to the Station Master and subsequently released on the representation and objection made by the Permanent Way Inspector and that, on the second occasion, the Station Master, whose duty it was to communicate with the Inspector on other officer and to arrange for the employment of a substitute, so as to admit of the arrest of the gatsman being effected in obedience to the warrant of the Court, referred the Bailiff to an Officer who was not on the spot, i.e, in the Mandya Station, but was at Mysore beyond the jurisdiction of the Munsiff's Court

6. In the Resolution of the Bombay Government No. 3337/88 dated 27th June 1888, a copy of which was circulated to all the Civil Courts for information

it

it is clearly stated that the term "immediate superior" to whom a Bailiff should give intimation of his mission to arrest an employee of the Railway shall be deemed to mean a Railway Official of the rank of Station Master, Foreman and Inspector, but not one of lower rank. It is further laid down in the said Resolution as follows:-

"If the 'persons who have authority to find substitute' are not on the spot where a Bailiff has to arrest a "Railway servant, it will be sufficient "if the Bailiff intimates his mission to "the servant's immediate superior, as "above defined. It should be the duty "of the latter to communicate with the "authority who can arrange for the employment of a Substitute, if he has not "that power himself, and he should do so "by the speediest possible means, so that "the period for which it will be necessary "to defer the arrest may be as short as "possible."-

7- If the instructions contained in the above Resolution were duly attended to by the Station Master of Mandya, the warrant in question would have been duly executed without any

inconvenience

inconvenience to the Company and the delay in the execution of the process of the Court and probable loss to the Judgment creditor would have been avoided

8. The Munsiff ought to have pointed out to the Station Master his mistake in referring the Bailiff to another officer who was not then forthcoming

9. The two original warrants issued by the Munsiff in this case, the endorsements made thereon and the depositions taken from the Bailiff who took the first warrant, with translations thereof in English, are herewith enclosed

10. As suggested in para 2 of your letter under acknowledgment, the attention of the Civil Courts has again been drawn to the procedure indicated in the Resolution of Bombay Government quoted above, and I am directed to request that the Agent of the Railway Company may be moved to issue the necessary instructions to all Railway Officers employed in the Mysore State Railway, so as to ensure in future a strict observance of the instructions laid

laid down in the Resolution of the Bombay Government.

I have the honor to be,
Sir,
Your most Obedient Servant,

Acting Registrar

ದಿನಾಂಕ 6/2/93.

92ನೇ ಸಾಲಿನ ಕಾಲಂ ನಂಬರ್ 754.

ಹೆಸರು ಮತ್ತು ವಿಳಾಸ ಸಂಖ್ಯೆ - ಶ್ರೀ ಕೆಂಪೇಗೌಡ ಸೀಲಂಕಾಲ್ ಗ್ರಾಮ

ಜಾತಿ ಮತ್ತು ಪಂಗಡ — ನಿಂಬೆಹಣ್ಣುಗೌಡರು

ವಯಸ್ಸು — 24

ಉದ್ಯೋಗ - ಸಣ್ಣ ಕೈಗಾರಿಕೆ ಮಾಲೀಕರು -

ಸಂಸ್ಥೆಯ ಹೆಸರು — ಸಂತೆಮಾರಿ

ಸಂಸ್ಥೆಯ ವಿಳಾಸ — ಕೆಂಪೇಗೌಡನಪಾಳ್ಯ

ಸಂಸ್ಥೆಯ ಪ್ರಾರಂಭದ ದಿನಾಂಕ — 92 ನೇ ಸಾಲಿನ 17-1-93 ನೇ ತಾರೀಖು

ಸಂಸ್ಥೆಯ ಪ್ರಾರಂಭಕ್ಕೆ ಕಾರಣವಾದ ಅಂಶಗಳು —

1892 ನೇ ಸಾಲಿನಲ್ಲಿ ಸಂತೆಮಾರಿಯಲ್ಲಿ 20 ಕೆಜಿ ತೂಕದ ನಿಂಬೆಹಣ್ಣಿನ ಚೀಲಗಳನ್ನು ಕೆಲವು ವ್ಯಾಪಾರಿಗಳು ಕಳ್ಳತನದಿಂದ ಸಾಗಿಸಿದ್ದರು. ಆಗ 24 ಗಂಟೆಯೊಳಗೆ ಕಳ್ಳರನ್ನು ಹಿಡಿದು ಕೊಡುವವರಿಗೆ ಬಹುಮಾನ ಕೊಡುವುದಾಗಿ ಸಂತೆಯಲ್ಲಿ ಡಂಗುರ ಸಾರಿಸಿದ್ದರು. ಆದರೆ ಯಾರೂ ಕಳ್ಳರನ್ನು ಹಿಡಿದು ಕೊಡಲಿಲ್ಲ. ಆಗ ಸಂತೆಯಲ್ಲಿ ಕಳ್ಳತನವಾಗಿದ್ದ ಚೀಲಗಳಲ್ಲಿ ಒಂದು ಚೀಲವನ್ನು ಕೆಂಪೇಗೌಡರ ಮನೆಯ ಮುಂದೆ ಯಾರೋ ಬಿಟ್ಟು ಹೋಗಿದ್ದರು. ಆ ಚೀಲದಲ್ಲಿ ಸುಮಾರು 20 ಕೆಜಿ ನಿಂಬೆಹಣ್ಣುಗಳಿದ್ದವು. ಕೆಂಪೇಗೌಡರು ಆ ನಿಂಬೆಹಣ್ಣುಗಳನ್ನು ಮಾರಿ ಸುಮಾರು ಹಣ ಗಳಿಸಿದರು. ಆ ಹಣದಿಂದ ಅವರು ಒಂದು ಸಣ್ಣ ಅಂಗಡಿಯನ್ನು ಪ್ರಾರಂಭಿಸಿದರು. ಅಂಗಡಿಯಲ್ಲಿ ಅವರು ನಿಂಬೆಹಣ್ಣಿನ ಉಪ್ಪಿನಕಾಯಿ, ಸಿಹಿ ಮತ್ತು ಹುಳಿ ಚಟ್ನಿ ಮಾರಲು ಪ್ರಾರಂಭಿಸಿದರು. ಅವರ ಉಪ್ಪಿನಕಾಯಿ ಮತ್ತು ಚಟ್ನಿಗಳು ಬಹಳ ರುಚಿಕರವಾಗಿದ್ದವು. ಆದ್ದರಿಂದ ಅವರ ವ್ಯಾಪಾರ ಚೆನ್ನಾಗಿ ನಡೆಯಿತು. ಅವರ ಮಗ ಚಿಕ್ಕೇಗೌಡರು ಅಪ್ಪನಿಗೆ ಸಹಾಯ ಮಾಡುತ್ತಿದ್ದರು. ಚಿಕ್ಕೇಗೌಡರು ಬಿ.ಎ. ಪದವೀಧರರಾಗಿದ್ದರು. ಅವರು ಅಪ್ಪನಿಗೆ ಸಲಹೆ ನೀಡಿ ಅಂಗಡಿಯನ್ನು ಒಂದು ಸಣ್ಣ ಕೈಗಾರಿಕೆಯಾಗಿ ಪರಿವರ್ತಿಸಿದರು. ಅವರು ಉಪ್ಪಿನಕಾಯಿ ಮತ್ತು ಚಟ್ನಿಗಳನ್ನು ಬಾಟಲಿಗಳಲ್ಲಿ ತುಂಬಿ ಮಾರಲು ಪ್ರಾರಂಭಿಸಿದರು. ಅವರ ಉತ್ಪನ್ನಗಳು ಬಹಳ ಜನಪ್ರಿಯವಾದವು. ಅವರು ಹೆಚ್ಚು ಹೆಚ್ಚು ಉತ್ಪಾದನೆ ಮಾಡಲು ಪ್ರಾರಂಭಿಸಿದರು. ಅವರು ಕೆಲಸಗಾರರನ್ನು ನೇಮಿಸಿಕೊಂಡರು. ಅವರ ಸಂಸ್ಥೆಯು ಬೆಳೆಯಿತು. ಅವರು ತಮ್ಮ ಸಂಸ್ಥೆಗೆ "ಸಂತೆಮಾರಿ" ಎಂದು ಹೆಸರಿಟ್ಟರು. ಅವರ ಸಂಸ್ಥೆಯು ಈಗ ಒಂದು ದೊಡ್ಡ ಕೈಗಾರಿಕೆಯಾಗಿದೆ. ಅವರು ಈಗ ಸಾವಿರಾರು ಜನರಿಗೆ ಉದ್ಯೋಗ ನೀಡಿದ್ದಾರೆ. ಅವರ ಉತ್ಪನ್ನಗಳು ದೇಶದಾದ್ಯಂತ ಮಾರಾಟವಾಗುತ್ತಿವೆ. ಅವರು ಈಗ ಒಬ್ಬ ಯಶಸ್ವಿ ಉದ್ಯಮಿಯಾಗಿದ್ದಾರೆ. ಅವರ ಯಶಸ್ಸಿಗೆ ಕಾರಣ ಅವರ ಕಠಿಣ ಪರಿಶ್ರಮ, ಪ್ರಾಮಾಣಿಕತೆ ಮತ್ತು ಗುಣಮಟ್ಟದ ಉತ್ಪನ್ನಗಳು. ಅವರು ಈಗ ಒಬ್ಬ ಆದರ್ಶ ವ್ಯಕ್ತಿಯಾಗಿದ್ದಾರೆ. ಅವರು ಈಗ ಒಬ್ಬ ಯಶಸ್ವಿ ಉದ್ಯಮಿಯಾಗಿದ್ದಾರೆ. ಅವರ ಯಶಸ್ಸಿಗೆ ಕಾರಣ ಅವರ ಕಠಿಣ ಪರಿಶ್ರಮ, ಪ್ರಾಮಾಣಿಕತೆ ಮತ್ತು ಗುಣಮಟ್ಟದ ಉತ್ಪನ್ನಗಳು. ಅವರು ಈಗ ಒಬ್ಬ ಆದರ್ಶ ವ್ಯಕ್ತಿಯಾಗಿದ್ದಾರೆ.

Taken before me on solemn affe
in Court. Phenevaccha Rao.
6/2

° 752 of 189

Deposition Ramanan

Proceeding. Affirmed.

age 24 years.

Resd. of Sriranjapattana

of 6.2.93.

Heard Report Proceedings

of the Distt Court no 92 of 17.1.93

made under the proceedings of the

Chief Court.

on 20th July 92, a Warrant

was issued to me by the Nazir

of the Court for the arrest of

the Dft one Mudda a Railway

Servant. I went to Mandya

on 27th July, and informed

the Station Master there

about the Warrant, and
asked him as ~~to~~ to what
shd be done in regard to the
steps to be taken further. The
Station master said, "you
may do as you please; I
know nothing (of it)." Then
I went to the gate where
the Bft was the keeper,
and informed him of the
warrant when he came on
of the gate (premises). The
said man told (me) that
he would himself pay off
the money (without any
compulsion). and appointed

some other man as a sub
stitute to do duty for
him, he came along with
me to the Mandiya Station
and had (also) purchased
a ticket to go to Srirangam
pattana. on the eve of getting
into the carriage, the Railway
gang Inspector came and
asked the individual
mentioned in the Warrant
under whose orders the
man came, and told him
that he must go away or dismiss
at once); and then he
(Inspector) told me that

I did not arrest him, and that there will be danger and detriment to duty. Thereon the said individual mentioned in the warrant, went on on duty. The man could not therefore be produced before the Court; and I have submitted a detailed report about the matter at the back of the warrant. The said Warra is placed on the records of the case. It may be perused.

When I informed the Station Master about the

warrant, he objected t
[illegible]." It did not
strike me to mention
the said remarks in
warrant; therefore it w
not stated. As the Statio
Master objected it, as said
above, I went to the Dpt.
himself. Immediately h
came out of his own accor
Hence I informed him
the Warrant. As stated abo
he appointed a substitut
and was coming along (with

I have stated above
that I have mentioned at
back of the said Warrant that the
Railway Inspector

told the man to go away
and told me that I shd
not arrest him.

The said warrant c
dated 13th July 1892. I do not
know the name of the
Station Master at Mandy
He is a a Madhwa, Brahm
perhaps if I see him I m
recognise him. I have sta
truth. I cannot now c
remember who was pres
and who was not present
when the Station Master
told me so. I did not, of
my own accord, go to arres

The man without carrying from the Station Masters ~~orders~~, knowledge, & without caring for what he said and in contravention of all orders. Draupadi only after informing him previously, I acted as above I swear to this fact.

Read over & admitted

6.2.93 by Kunjal Ramanna

taken before me on Solemn Affn in Court. by B. Srinivasalu

6/12.

ಅಮಲ್ದಜಾರೀಯಲ್ಲಿ ಅಸಾಮಿಯೆಸ್ಸ
ಹಿಡಿಯುವ ವಾರಂಟ್ ಕೊಡು
ಪ್ರಕರಣ
ನಂಬರ್ 33, ಸಿವಿಲ್.

189 ನೇ ಇಸವಿ ವ್ಯಾಜ್ಯದ ನಂಬರು 388

189 2 ನೇ ಇಸವಿ ಅರ್ಜಿ ನಂಬರು. 752

ವಾದಿ

ಪ್ರತಿವಾದಿ

ಕೋರ್ಟಿನ ನಾಜರಿಗೆ

ನೇ ಇಸವಿ ತಿಂಗಳು ತಾರೀ

ಖಿನಲ್ಲಿ ನೇ ಇಸವಿ 388 ನೇ

ನಂಬರಿನ ವ್ಯಾಜ್ಯದಲ್ಲಿ ಕೊಡಲ್ಪಟ್ಟ ಕೋರ್ಟಿನ ಡಿಕ್ರಿಯಲ್ಲಿ

ನೇ ಯವನು ವಾದೀಗೆ

	ರೂ	ಅ	ಪೈ
ಅಸಲ್	41	0	
ಬಡ್ಡಿ			
ಖರ್ಚು	9	6	
ಅಮಲ್ದಜಾರಿ	4	13	9
ಮೊತ್ತಾ	55	13	9

ಇದರ ಪಾರ್ಶ್ವದಲ್ಲಿ ಬರೆದಿರುವ ಪ್ರಕಾರ 51 — — ರೂಪಾಯಿಗಳು ಸಲ್ಲಿಸಲಿಕ್ಕೆ ಡಿಕ್ರೀ ಆಗಿರುವದ್ದರಿಂದ ಮತ್ತು ಸದರೀ 51 — — ರೂಪಾಯಿಗಳು ಸದರೀ ವಾದೀಗೆ ಆ ಡಿಕ್ರೀಸವಾಧಾನಕ್ಕಾಗಿ ಸಲ್ಲಿಸಲ್ಪಡಲಿಲ್ಲವಾದ್ದರಿಂದ ಸದರೀ ಪ್ರತಿವಾದಿಯನ್ನ ಹಿಡಿಯಲಿಕ್ಕೂ ಮತ್ತು ನಿನಿಗೆ 51 — — ರೂಪಾಯಿಗಳನ್ನು ಮತ್ತು ಈ ಹುಕ್ಕುಂ ಅಮಲ್ದಜಾರೀ ಬಗ್ಗೆ ಆದಖರ್ಚುಗಳಿಗೋಸ್ಕರ 4—13—9 ರೂಪಾಯಿಗಳನ್ನು ಸಹ ಪಟ್ಟಿರೀನೇ ಶಿವಾಯಿ ನೀನು ಅವನನ್ನು ಅನುಕೂಲವಾಗುವಷ್ಟು ಜೋಗ್ರತೆಯಾಗಿ ಕೋರ್ಟಿನ ಮುಂದೆ ಹಾ ಜ್ಮಾಡುವದಕ್ಕೂ ಇದರಿಂದ ನಿನಿಗೆ ಹುಕ್ಕುಂ ಆಗಿರುತ್ತದೆ. ಇನ್ನೂ ನೀನು ಅಜ್ಞಾಪಿಸಲ್ಪಟ್ಟಿರುವದೇನೆಂದರೆ ಈ ವಾರಂಟನ್ನು ಮತ್ತು ಅದನ್ನು ಅಮಲ್ದಜಾರೀ ಮಾಡಿದ ವಿಧ ವೆ ತ್ತಾರೀಬನ್ನು ಯಾ ಅದನ್ನು ಅ ಮಲ್ದಜಾರೀ ಮಾಡದ್ದಕ್ಕೆ ಕಾರಣವೆನ್ನು ಇಂಡಾರಸ್ ಮಾಡಿ ನೇ ಇಸವಿ ತಿಂಗಳು ತಾರೀಖಿನಲ್ಲಿ ವಾಪಸು ಕಳುಹಿಸತಕ್ಕದ್ದು.

92 ತಿಂಗಳು ತಾರೀಖಿನಲ್ಲಿ ಕೋರ್ಟು

(Endorsed at the left hand
Copies of warrant of 13 July
92, returnable by the 27
July 92).

no 338, ~~Rec'd Aug~~
~~Issued to Asaren~~

Rec'd 14.7.92

Issued to Peon Chaun
15.7.92

Returnable to Nazan
20.7.92

X | ~~Sd~~ Supt R.
Naza

Peon Ramanna
20.7.92

Returnable
on 26.7.92

Supt R.

Re. U/S 41 (Endorsed at the back of W
of 13th July 92, returnable
by the 27th July 92).

Peon Channa's Report.

As the ~~Due~~ date of hearing is very near, the individual mentioned in the Warrant Could not be arrested and the warrant Could not be Executed. As Summonses for the 20th & 19th were on hand, it Could not be Executed. Hence Warrant is returned. 17th M.

19-7-92

By Channa

Rec'd 19.7.92

Advocate

Dft A

Nazar.

~~Report by~~

P.J

Peon's Report

Attempt was made to bring the individual herein mentioned to Head Quarter but the Inspector of the Railway Departt. said that the servants of this (Railway) Departt should not be arrested without any previous intimation to the Head of the Departt.; that there would be hardship for duty; and that therefore the individual should be let off. Thus he caused obstruction in D.D. Hardship For this reason, the indivi-

Could not be arrested an
brought over to Court.
I beg to report the Existing
State of things. I shall carr
out any orders that ma
be issued hereafter.

27.7.92

by Kirigal Raman
Proceperon -

Warrant Report.

This Report is submitte
for perusal.

28.7.92

X Dy Supt R
Nazar.

ಅಮಲ್‌ಜಾರಿಯಲ್ಲಿ ಆಸಾಮಿಯನ್ನು
ಹಿಡಿಯುವ ವಾರಂಟ್.
ಕೋರ್ಟ್. 337ನೇ
ಪ್ರಕರಣ
ಸಮ್ಮನೇ ಸಂಬಂಡ 33, ಸಿವಿಶ.

ಕೋರ್ಟ್

189 ನೇ ಇಸವಿ ವ್ಯಾಜ್ಯದ ನಂಬರು. 3

189 ನೇ ಇಸವಿ ಅರ್ಜೀ ನಂಬರು. 7

ಪ್ರತಿವಾದಿ.

ವಾದಿ

ಕೋರ್ಟಿನ ನಾಜರಿಗೆ

over 2. ನೇ ಇಸವಿ ತಿಂಗಳು

ಮೇಲ್ಲಿ over 0 ನೇ ಇಸವಿ

ನಂಬರಿನ ವ್ಯಾಜ್ಯದಲ್ಲಿ ಕೊಡಲ್ಪಟ್ಟ ಕೋರ್ಟಿನ ಡಿಕ್ರಿಯಲ್ಲಿ

ನೇ ಯವನು ವಾದಿ

ಅಸಲ್	41	10
ಬಡ್ಡಿ		
ಖರ್ಚು	7	0
ಅಮಲ್‌ಜಾರಿ	4	13
	53	7

ಇದರ ಪಾರ್ಶ್ವದಲ್ಲಿ ಬರೆದಿರುವ ಪ್ರಕಾರ 53 0

ರೂಪಾಯಿಗಳು=ಸಲ್ಲಿಸಲಿಕ್ಕೆ ಡಿಕ್ರೀ ಆಗಿರುವದೆನ್ನಿಸಿರುವ ಮೊತ್ತ ಸದ

53 — — ರೂಪಾಯಿಗಳು ಸದರೀ ವಾದೀಗೆ

ಡಿಕ್ರೀಸದಾನವನ್ನಕ್ಕಾಗಿ ಸಲ್ಲಿಸಲ್ಪಡತಕ್ಕಿಲ್ಲವೆಂದ್ದರಿಂದ ಸದರೀ ಪ್ರತಿವಾದಿಯ

ಹಿಡಿಯಲಿಕ್ಕೂ ಮತ್ತು ನಿನಗೆ 53 0 ರೂ

ಯಿಗಳನ್ನು ಮತ್ತು ಈ ಹುಕ್ಕುಂ ಅಮಲ್‌ಜಾರೀ ಬಗ್ಗೆ ಆದಖರ್ಚ

ಗಳಿಗೋಸ್ಕರ 4 13 7 ರೂಪಾಯಿಗಳನ್ನು

ಬಿ ನೀನು ಅವನನ್ನು ಅನುಕೂಲವಾಗುವಷ್ಟು ಜಾಗ್ರತೆಯಿಂದ ಕೊರ್ಟಿನ ಮುಂದೆ

ಇದರಿಂದ ನಿನಗೆ ಹುಕ್ಕುಂ ಆಗಿರುತ್ತದೆ. ಇನ್ನೂ ನೀನು ಅಪ್ಪಾಪಿಸಲ್ಪಟ್ಟಿರುವದೇನ

ನ್ನ ಮತ್ತು ಅದನ್ನು ಅಮಲ್‌ಜಾರೀ ಮಾಡಿದ ವಿಧವ ತಾರೀಖನ್ನು ಯಾ ಅದನ್ನು

ದ್ದಕ್ಕೆ ಕಾರಣವನ್ನು ಇಂತಾರಸ್ಥ ಮಾಡಿ over 0 ನೇ ಇಸವಿ ತಿಂಗಳು 24

ತಾರೀಖಿನಲ್ಲಿ ವಾಪಸು ಕಳುಹಿಸತಕ್ಕದ್ದು.

over 1 ನೇ ಇಸವಿ ತಿಂಗಳು 14 ತಾರೀಖಿನಲ್ಲಿ ಕೋಟ

ನಲ್ಲಿ ಇತ್ಯರ್ಥ ಆಗಿ ಕೊಡಲ್ಪಟ್ಟಿದೆ.

(Endorsement on reverse
at the back of warrant
dt 11th August 1892).
(returnable by 24 Aug '92)

This shd be referred to
P. W. Inspector S. M. R.
Mysore.

J. Shamaiah
S. M. (Station Master)

Mandya
15/8.

Peon's Report (in Kannada)

In the matter of arresting
the Dft herein referred to,
the Station Master says that
(I) must go to Mysore, in-
form the Inspector (of the
case), and then (the man)
shd be arrested. Therefore
the man could not be

V1 — 29/9/1893 (7)
of J.F. 169-92 12th
Enl

— The 1st assistt to the
— Resident in Mysore

.

to reference to
ter No: 3602/405-88 dd
7th nov last, bringing
to notice the arrest of a
gateman by the bailiff
of the Munsiff's court a
Seringapatam, without
previous intimation
being given to the
immediate superior
of the gateman, and
in continuation of my
letter No: 7335/384-92 dated 26th
Idem, I am directed
to

forward copy of ~~a~~ new
: 1340/37 dated 23rd ~~Instant~~ Ingere,
om the Registrar of the
ief Court, explaining
e circumstances
nder which the
rest of the gateman
ferred to was made
nd to state that it
oes not appear to be
ite correct to say
hat the arrest was
ade without previous
timation being
iven to the superior
the gateman, who
n the instance in
uestion, was the Station
aster at Inandyan, but on the other hand,
the latter, according
the Resolutions of the
Court

They suggest the Urgency of the authorities of

~~dated~~ and 1474 dated
27th June 88 and 11th
July 88 respectively, ought
to have, if necessary,
after communication
with his superiors,
made arrangements
for delivering the gaol
man to be arrested
and afforded facilities
for the execution of the
warrant, but did not
do so.

To prevent the re
currence of such mistakes,
I ~~am to request that~~
~~the President will be~~
~~so good as to address the~~
~~Agent and Manager~~,
the Southern Maharatta
Railway,

ailway some such instructions
the officials of the
ailway Dept, as would
sure strict observance
the rules laid down
their guidance in
Resolutions of the
unbay Govt referred to
ove.

I have the

& Station Masters
who move the
Inspectors &c
are invariably
the Officers "on
the spot" and
under the terms
the Resolutions
the Govt Bombay letter
& allegd & ~~the~~ their
letter of reference -

& Manager G.I.P. Rly Co

Bombay
9th July 93

(General Serial No. 30.)

8869.

189 .

From The 1st Assistant to
Resident in Mysore

To (10)

The Chief Secretary to the
Dewan of Mysore.

Dated 22nd November 189

Despatched

Received

Enclosures No. 2

General No. 3997
No. 405-88

Forwarding a copy of the Government of Bombay Resolution, communicating a Circular issued by the High Court of Madras for regulating the procedure of Courts subject to its superintendence in the issue of warrants for the arrest of railway and other officials

J

References to be marked.

3997/405-88 Enc 2

FROM

THE FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To The Dewan of Mysore.

Dated Bangalore, 22 November 189

SIR,

Adverting to correspondence e
-ing with your letter No. 514/J.F.169-92 dated
9th July 1893, I am directed to forwa
for the information of the Durbar, a c
of a resolution of the Government of Bom
in the Public Works Department, comm
-nicating a circular issued by the Hig
Court of Madras for regulating the
procedure of Courts subject to its supe
-rintendence in the issue of warrants for the a
of railway and other officials.

No. 2370 dated the 14th Nov. 1893. (with a Sp. copy)

I have the honour to be
Sir,
Your most obedient ser

1st Asst. Resident

Bellary-Kistna Railway.—*Orders by the Madras Government regarding the arrest of railway servants in execution of Civil Court decrees.*

No. 2378 of 1893.

P. W. Department, Railway.

Bombay Castle, 14th November 1893.

From the Consulting Engineer for Railways No. 6369 dated 5th August 1893.

Submits letter No. 5646—11287 dated 27th July 1893, from the Agent, Southern Mahratta Railway Company, forwarding, for necessary action, copy of a letter No. G.—11559 dated 22nd July 1893, from the Traffic Manager on the subject of arrest of Chinnappa, Pointsman, Somidevipalli Station, under a civil warrant without previous intimation being given to his immediate superior.

Letter to the Joint Secretary to the Government of Madras, Public Works Department, Railway Branch, No. 1651 dated 7th August 1893 :—

"I am directed to forward, for the consideration of the Government of Madras, a copy of a letter No. 5646—11287 dated 27th July 1893, from the Agent, Southern Mahratta Railway Company, and its accompaniment, having reference to the proposed summary arrest of a pointsman at Somidevipalli Station, near Cumbum, on the Bellary-Kistna Branch, on a civil warrant, without time being allowed for his relief from railway duty. The District Munsiff is said to have expressed views on the matter of such arrests as would make it appear that the Government of Madras have not issued any special regulations regarding the summary removal on a civil warrant of railway servants from their duties.

"2. The matter is one of importance, and has occasioned much consideration to this Government; and the orders issued will be found in Bombay Judicial Department Government Resolution No. 3337 dated 27th June 1888, a copy of which I am to enclose for information. If the matter is not already provided for by rule by the Government of Madras, I am to suggest that it may now receive due consideration and rules laid down for the guidance of both Civil and Railway Officers."

Letter from the Chief Secretary to the Government of Madras, Judicial Department, No. 2223 dated 25th October 1893 :—

"I am directed to inform you that your letter dated 7th August 1893, No. 1651, on the subject of the arrest of a pointsman at Somidevipalli Station, near Cumbum, on the Bellary-Kistna Branch Railway, under the warrant of a District Munsiff was communicated to the Madras High Court, and that the Honourable the Judges have decided to issue the Circular, of which a copy is enclosed, with a view to preventing such occurrences in future."

CIRCULAR.

"Under the provisions of Section 652 of the Code of Civil Procedure, the High Court has made the following rule to regulate the procedure of Court's subject to its superintendence in the issue of warrants for the arrest of railway and other officials :—

'Whenever a Court has occasion to issue a warrant for the arrest of any public servant or of any person in the employment of a Railway Company, the Court shall enter in the warrant a direction to the bailiff or process server to whom it is entrusted for execution requiring him, before making the arrest, to acquaint the immediate official superior of the person to be arrested with the fact that the arrest is about to be made.

'2. With reference to a person in the employment of a Railway Company, the words 'immediate official superior' shall be deemed to include a railway official of the rank of Station Master, Foreman or Inspector, but not one of lower rank.' "

RESOLUTION.—To be communicated to the Consulting Engineer for Railways and to the Agent, Southern Mahratta Railway Company, for information and guidance.

2. Copies should also be forwarded to the Resident in Mysore and to the Judicial Department of the Secretariat for information.

R. C. DYSON,
Acting Under Secretary to Government.

To

The Judicial Department of the Secretariat.
The Consulting Engineer for Railways.
The Resident in Mysore. (By endorsement No. 2379.)
The Agent, Southern Mahratta Railway Company.

No. of 1893.

Copy forwarded to the

No 8869 dt 5/12/93
J. F. 169-92 6/12/93

To
The Registrar of the
Chief Court of Mysore

Police
1893
No 7

Sir,

With reference to your letter No 1340/37 dated J. 789
23rd March 1893, I am directed to forward for the information of the Judges of the Chief Court and for communication to the Subordinate Civil Courts in the State a copy of a resolution of the Govt of Bombay in the P. W. department, communicating a circular issued by the High Court of Madras regulating

No 2878 d/14-11-93.

regulating the procedure
of courts ~~subject to~~
~~its supervision and~~
in the matter of
the issue of warrants
for the arrest of
Railway and other
officials.

I have &c.

W 5/12

Chief Secretary